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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

YIMAM, HARUN M

ART UNIT PAPER NUMBER

2611

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,278

Applicant(s)

GUTTA ET AL.

Examiner

Harun M. Yimam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/28/01, 11/15/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

1. Claims 9, 12, 17 and 19 are objected to because of the following informalities:

In claim 9, line 3, "bite" should be changed to -byte—.

In claim 12, line 3, "bite" should be changed to -byte—.

In claim 17, line 3, "bite" should be changed to -byte—.

In claim 19, line 3, "bite" should be changed to -byte—.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 - 3, 5, 6, 8, 10, 11, 13, 14, 16, 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hong (GB 2330474).

Considering claim 1, Hong discloses a television program selection system (figure 4), comprising:

a grid of television program slotted for a particular time (see time 12:00, 13:00 and 14:00 at second row of figure 4) and channel (CH02, CH03 etc.), said grid containing key frames (still images) of each program; and means (remote control) to select the slotted program to reveal a sequential showing of the key

frames images (page 9, line 26 – page 10, line 9 and page 7, line 22 – page 8, lines 5).

As for claim 2, Hong discloses that the key frame images are invoked in a sequence following progress of the program on page 7, line 22 – page 8, lines 5.

With regards to claim 3, Hong discloses that the key frame images are highlighted on page 9, lines 20 – 22.

As for claim 5, Hong discloses that the key frame images comprise textual message in figure 4, rows 3 – 5.

With regards to claim 6, Hong discloses that the highlighted key frame image is most indicative of the theme (i.e. subject or topic) as illustrated in figure 4 and page 9, lines 20-22. For example, “Headline news” is indicative of news on channel 3 at 12:00pm.

Regarding claim 8, Hong shows a highlighted key frame image with a bright border in the fourth row of Figure 4.

With regards to claim 10, Hong discloses a method of selecting a preferred television program from a plurality of television programs, comprising the steps of: a)

choosing a specific program from a display of textually described programs (page 5, lines 11-20 and page 7, line 22 – page 8, lines 5); b) displaying said specific program as a sequence of key frame images (page 7, line 22- page 8, line 5).

Regarding claim 11, Hong discloses that the key frame images are invoked in a sequence following progress of the program on page 7, line 22 – page 8, lines 5. Hong also discloses that key frame images are highlighted on page 9, lines 20 – 22.

As for claim 13, Hong discloses that the key frame images comprise textual message in figure 4, rows 3 – 5.

With regards to claim 14, Hong discloses that the highlighted key frame image is most indicative of the theme (i.e. subject or topic) as illustrated in figure 4 and page 9, lines 20-22. For example, “Headline news” is indicative of news on channel 3 at 12:00pm.

Regarding claim 16, Hong shows a highlighted key frame image with a bright border in the fourth row of Figure 4.

Regarding claim 18, Hong discloses a television program selection system (figure 4), comprising:

a grid of television program slotted for a particular time (See time 12:00, 13:00 and 14:00 at second row of figure 4) and channel (CH02, CH03 etc.), said grid containing key frames (still images) of each program; and means (remote control) to select the slotted program to reveal a sequential showing of the key frames images (page 7, line 22 – page 8, lines 5).

With regards to claim 20, Hong discloses that the key frame images are invoked in a sequence following progress of the program on page 7, line 22 – page 8, lines 5.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 15 are rejected under U.S.C. 103(a) as being unpatentable over Hong and White (6,804,825).

As for claims 7 and 15, Hong discloses that the key frame is highlighted on page 9, lines 20-22. Hong fails to disclose highlighting comprising a single color.

In an analogous art, White discloses a user interface system for selecting items of interest on a television screen. White discloses that highlighting any

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feature of interest by using a color (i.e. a single color) is well known in the art.

See column 4, lines 30 - 39.

It would have been obvious to one of ordinary skill in the art to modify Hong's system to include highlighting by a single color, as taught by White, because this is the simplest way of representing a selected item of interest by the user.

6. Claims 4, 9, 12, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hong and Yuen.

Considering claims 4, 9, 12, 17 and 19, Hong discloses a program selection system comprising key frame images as described above. However, Hong fails to specifically disclose that the key frame images comprise at least one sound byte.

In an analogous art, Yuen discloses a program selection system (figure 2) comprising a key frame images (42) having a corresponding sound byte. See column 2, paragraph 15, lines 15 – 23.

It would have been obvious to one of ordinary skill in the art to modify Hong's system to include the key frame images comprising at least one sound byte, as taught by Yuen, for the benefit of providing audio to a corresponding key frame image so the user can listen to the selected program clip.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US-6,756,997 by Ward, US-6,732,371 by Lee, and US-5,734,786 by Mankovitz.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harun M. Yimam whose telephone number is 703-305-0636. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HMY


CHRIS GRANT
PRIMARY EXAMINER